

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

TRAVIS C. LAMBERT,

Plaintiff,

VS.

**STANDARD GUARANTY INSURANCE
COMPANY,**

Defendant.

*
*
*
*
*
*
*
*
*

Case No. _____

NOTICE OF REMOVAL

The above-named Defendant, Standard Guaranty Insurance Company, hereinafter "Standard Guaranty," pursuant to 28 U.S.C. § 1441, *et seq.*, for its Notice of Removal of the action instituted by the above-named Plaintiff against it as Defendant, shows unto the Court:

1. Plaintiff is a citizen and resident of Washington County, Tennessee, and so pleads in his Complaint.
2. Defendant Standard Guaranty is, and at all time pertinent to this cause of action was, a foreign corporation doing business in the State of Tennessee. Standard Guaranty is incorporated under the laws of the State of Delaware with its corporate headquarters and principal place of business located at 260 Interstate North Circle, Atlanta, Georgia 30339. Standard Guaranty was not on December 17, 2008, or any time before or after said date, up to and including the date this action was filed in the

Circuit Court for Sullivan County at Bristol, Tennessee, on December 17, 2009, or on the date of the filing of this Notice of Removal, incorporated under the corporate statutes or other applicable law of the State of Tennessee, and has not at any time prior to or subsequent to December 17, 2008, up to and including the date of the filing of this Notice of Removal, had its principal place of business in Tennessee, or at any place other than Atlanta, Georgia.

3 The citizenship of the respective parties was the same as herein alleged at the time of the commencement of this action in the Circuit Court of Sullivan County, Bristol, Tennessee, and on the date of the filing of this Notice of Removal.

4. On December 17, 2009, Plaintiff instituted an action against Defendant in the Circuit Court of Sullivan County, at Bristol, Tennessee, by filing in said Court a Summons for the said Defendant and, as the initial pleading, a Complaint seeking the Court to declare the rights of the parties under a residential insurance policy pertaining to structure and contents coverage, more specifically, as to damages and losses sought as a result of a fire loss at his house at 683 Turner Road, Bluff City, Sullivan County, Tennessee 37618, on December 17, 2008. Plaintiff seeks from Defendant proceeds of the fire insurance policy for a loss to the insured house and additional losses for property destroyed and coverages under the insurance policy. The insured seeks from Standard Guaranty in his lawsuit the sum of \$563,000.00; therefore, the amount in controversy exceeds \$75,000.00.

5. The Summons and Complaint issuing from the Clerk's Office of the Circuit Court for Sullivan County at Bristol, Tennessee was served upon the Defendant on January 5, 2010 through the State of Tennessee, Department of Commerce and Insurance.

6. Less than thirty (30) days have transpired since service was had upon Defendant through the Tennessee Department of Commerce and Insurance, up to and including the date of the filing of this Notice of Removal.

7. Defendant files with this Notice of Removal, marked for identification as "Collective Exhibit 1," an exact and complete copy of the a letter dated January 7, 2010 from the Tennessee Department of Commerce and Insurance, Notice of Service of Process, and the Summons and Complaint.

8. The amount in controversy in said action herein referred to exceeds the sum of Seventy-five Thousand Dollars (\$75,000), exclusive of interest and costs. This suit is to determine rights under a residential policy as a result of a fire.

WHEREFORE, Defendant Standard Guaranty prays that this Court accept this Notice of Removal and proceed with this action in accordance with the law.

**STANDARD GUARANTY INSURANCE
COMPANY**

By: s/S. Morris Hadden
S. Morris Hadden (BPR #000747)
Counsel for Defendant
HUNTER, SMITH & DAVIS, LLP
1212 N. Eastman Road
P. O. Box 3740
Kingsport, TN 37664
(423) 378-8820; Fax: (423) 378-8801